

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND, )

Plaintiff, )

v. )

THE 357 CORP.; THE TRANS-LEASE )  
GROUP, INC.; FAIRLANE ACCEPTANCE COMPANY; )  
WESTWOOD CARTAGE, INC.; LABOR PLUS, INC. aka )  
THE TRANS-LEASE GROUP, INC. ; ATLAS )  
PERSONNEL, INC. aka THE TRANS-LEASE GROUP, )  
INC.; ATLAS TRUCK LEASING, INC. )

Defendants. )

C.A. No. 04cv11454 GAO

**MOTION TO ALLOW FILING OF SECOND AMENDED COMPLAINT WITH  
RESPECT TO ALL DEFENDANTS EXCLUDING THE WEBSTER CORP.**

NOW COMES, the Plaintiff to request that the Plaintiff's Motion for Leave to File Second Amended Complaint be allowed as to The 357 Corp, The Trans-Lease Group, Inc., Fairlane Acceptance Company, Westwood Cartage, Inc., Labor Plus, Inc. aka The Trans-Lease Group, Inc., Atlas Personnel, Inc. aka The Trans-Lease Group, Inc., Atlas Truck Leasing, Inc., National Traffic Systems, Inc., McCarthy Industries, Inc., Archon Co., Inc. and Warehouse Transport, Inc. On November 28, 2005, Plaintiff's Motion for Leave was filed in order to add control group corporations whose identities were provided by the Defendants to Plaintiff on October 17, 2005, as well as The Webster Corporation. The Webster Corporation is the only defendant to file an opposition to the Motion. Briefs were submitted on January 6, 2006, and the parties are awaiting a decision by this Court.

In order to expedite the litigation of this matter, Plaintiff requests that the Motion with

respect to all Defendants, excluding Webster, be allowed pending a decision by this Court with regard to Webster Corporation.

Dated: January 27, 2006

Respectfully submitted,

For the Plaintiff,  
CHARLES LANGONE, FUND MANAGER,  
By his Attorney,

/S/ Catherine M. Campbell  
Catherine M. Campbell  
BBO #549397  
Feinberg, Campbell & Zack, P.C.  
177 Milk Street  
Boston, MA 02109  
(617) 338-1976

Certificate of Service

I, Catherine M. Campbell, hereby certify that I caused a copy of the foregoing to be mailed on this day by U.S. first-class mail to Geoffrey P. Wermuth, Esq., Murphy, Hesse, Toomey & Lehane, LLP, World Trade Center East, Two Seaport Lane, Boston, MA 02210, John McCarthy, President of National Traffic Systems, Inc., McCarthy Industries, Inc., Archon Co., Inc., and Warehouse Transport, Inc., 62 Everett Street, Westwood, MA 02090 and Neil Jacobs, Esq. Wilmer Cutler Pickering Hale & Dorr LLP, 60 State Street, Boston, MA 02109.

/S/ Catherine M. Campbell  
Catherine M. Campbell

Date: January 27, 2006

Certificate of Rule 7.1 Conference

I, Catherine M. Campbell, counsel for Plaintiff Charles Langone in the above-captioned matter, hereby certify that I have (attempted) to confer with Defendant's counsel in a good faith attempt to resolve or narrow the issues presented by this motion.

/S/ Catherine M. Campbell  
Catherine M. Campbell

Date: January 27, 2006